

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

FREDERICK CARTER	§	
VS.	§	CIVIL ACTION NO. 9:17-CV-40
BRAD LIVINGSTON, <i>et al.</i> ,	§	

ORDER ACCEPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION REGARDING DEFENDANT HENRY

Plaintiff, Frederick Carter, an inmate formerly confined at the Polunsky Unit with the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se* and *in forma pauperis*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against defendant Barbara J. Henry.

The Court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. The Magistrate Judge recommends dismissing plaintiff's claims against defendant Henry pursuant to Federal Rule of Civil Procedure 4(m).

The Court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, and pleadings. No objections to the Report and Recommendation of United States Magistrate Judge has been filed.¹

ORDER

The findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge is **ACCEPTED**. For the reasons outlined in the Memorandum Opinion and Order Accepting the Magistrate Judge's Report and Recommendation Regarding Defendants

¹The Clerk of Court docketed Objections to the Report and Recommendation (docket entry no. 150). A careful review of the Objections, however, reveal that the Objections pertain to another Report and Recommendation that was entered on the same day.

Nguyen, Jackson, Moore and Stalinksy, a Final Judgment will be entered pursuant to Federal Rule of Civil Procedure 54(b).

So ORDERED and SIGNED, Mar 03, 2021.

A handwritten signature in black ink, appearing to read "Ron Clark", written over a horizontal line.

Ron Clark
Senior Judge